

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2008-283-C - ORDER NO. 2008-738

OCTOBER 28, 2008

IN RE: Complaint of Digitron, Inc. v. BellSouth)	ORDER DISMISSING
Telecommunications, Inc. d/b/a AT&T South)	COMPLAINT WITH
Carolina)	PREJUDICE

This matter comes before the Public Service Commission of South Carolina (Commission) on the Motion of BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina (AT&T) to Dismiss with Prejudice in Light of Settlement the present proceeding. This proceeding was established upon a complaint filed with the Commission by Digitron, Inc. (Digitron) on July 24, 2008, against AT&T.

On September 3, 2008, AT&T filed a Motion to Dismiss wherein AT&T advised the Commission that all issues contained in Digitron's complaint had been resolved and that the parties were working to memorialize the resolution in writing. Due to the anticipated written resolution of the complaint, the Commission did not immediately rule on AT&T's September 3, 2008 motion. At present before the Commission is AT&T's Motion, filed October 8, 2008, to Dismiss with Prejudice in Light of Settlement. AT&T states the resolution has now been memorialized in writing, and Digitron has agreed to cooperate in causing this proceeding to be dismissed with prejudice. AT&T files as Exhibit A to its motion a copy of the Settlement and Release entered into by AT&T and Digitron, signed by Alfred Chalmers on behalf of himself and Digitron. Paragraphs one and seven of the Settlement and Release reflect that the parties have resolved all issues

presented in Digitron's complaint. Specifically, paragraph one states that "Alfred Chambers, on behalf of himself and Digitron, Inc.,... hereby releases, and forever discharges BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina" for any injuries related to the complaint. Paragraph seven states that "Digitron will cause the complaint against AT&T [in this Docket] to be dismissed with prejudice and will execute and file any and all documents necessary to facilitate this dismissal."

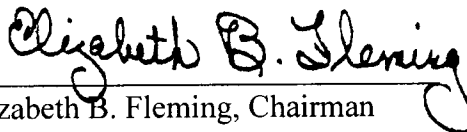
Upon consideration of AT&T's motion, the Settlement and Release, and the consent of the parties for dismissal, the Commission finds that the motion of AT&T to dismiss this docket with prejudice should be granted.

IT IS THEREFORE ORDERED THAT:

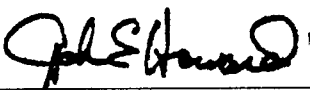
1. The Motion of BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina to Dismiss with Prejudice in Light of Settlement the complaint of Digitron, Inc. against BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina is granted.

2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman

(SEAL)